PATENT

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Applicant:	Gregory A. Stobbs, et al.
Group Art Unit:	2741
Examiner:	Leslie Wong
Title:	COMPUTER-IMPLEMENTED PATENT PORTFOLIO ANALYSIS METHOD AND APPARATUS
Attorney Docket:	9305-000002/US

Mail Stop Appeal Brief – Patents
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APPEAL BRIEF AND REQUEST FOR EXTENSION OF TIME

Sir:

Applicant hereby submits the original and two copies of this Appeal Brief and requests a two-month extension of time and includes the fees for both the Appeal Brief and two-month extension of time.

Real Party In Interest

The real parties in interest are the applicants, Gregory A. Stobbs and John V. Biernacki.

Related Appeals and Interferences

There are no related appeals and/or interferences.

Status of Claims

Claims 1-24 and 26-32 are presently pending in this application. Claims 1, 2, 4-8. 10-12, 14-16, 18-23 and 25-32 have been rejected under 35 U.S.C. § 102(e) in view of Snyder (U.S. Patent 6,038,561); claims 3 have been rejected under 35 U.S.C. § 103 in view of Snyder and claims 13, 9, 17 and 24 have been rejected under 35 U.S.C. § 103 in view of Snyder in combination with Rivette et al (U.S. Patent 6,038,561).

Status of Amendments

On March 14, 2003, applicants filed an Amendment after Final. As indicated in the Examiner's Advisory Action, mailed April 9, 2003, the amendment was entered for purposes of Appeal.

Summary of Invention

This application contains six independent claims setting forth six inventions that will be summarized here, with reference to the specification and drawings. The references to the specification and drawings made here are intended to be representative, and not an exhaustive listing of all possible references that could be made.

1. Automatic determination of claim breadth metric for multiple claims retrieved from a plurality of patents. (See, e.g., claim 1)

According to this aspect of the invention, the following three steps are performed:

(a) retrieving a corpus of patent information from a database, said patent information including multiple claims from a plurality of patent documents.

In the Applicants' specification refer, for example, to Figure 3, which shows a relational database structure including the "All Patents Table" 60 into which the retrieved corpus of patent information is stored. Figure 3 also shows a "Claims" table 62 into which the Claim Text is stored. As illustrated, table 62 has a relationship to the All Patents Table 60. This relational database structure and its use in retrieving a corpus of patent information is described, for example, in Applicants' specification beginning at page 9, line 3 through page 10, line 8.

(b) automatically determining claim breadth metrics for the multiple claims.

In Applicants' specification the automatic determination of claim breadth metrics is described, for example, beginning at page 11, line 9 (which refers to Figure 4) through page 13, line 7. As described, the text of the claims may be scanned to separate independent claims from dependent claims, and the independent claims are then analyzed by a word count algorithm capable of giving claim preamble a different weight than the claim body. Other linguistic analysis can also be performed.

(c) associating a claim breadth metric with a claim and storing said associated claim breadth metric in a computer-readable dataset, wherein

a claim breadth metric which is associated with a claim is indicative of how broad the claim is.

In Applicants' specification, the storage claim breadth metric data is illustrated in Figure 3. Specifically, the Claims table 62 stores "claim word count," "claim length," and "adjusted claim word count" (all claim breadth metrics that are automatically determined based on step (b) above).

2. Patent portfolio analysis method that assesses multiple patent documents according to user-prescribed categories. (See, e.g., claim 8)

According to this aspect of the invention, the following four steps are performed:

(a) providing user-prescribed categories which were specified by a user.

In Applicants' specification, the provision of user-prescribed categories is discussed, for example, at page 10, beginning at line 12. Category information may be stored in the Category List Table 68, shown in Figure 3. Examples of user-defined categories include "technological categories, product categories, or other business categories." See page 10, line 14.

(b) retrieving a corpus of patent information from a database, wherein the patent information is information from multiple patent documents.

In the Applicants' specification refer for example to Figure 3, which shows a relational database structure including the "All Patents Table" 60 into which the retrieved corpus of patent information is stored. Figure 3 also shows a "Claims" table 62 into which the Claim Text is stored. As illustrated, table 62 has a relationship to the All Patents Table 60. This relational database structure and its

use in retrieving a corpus of patent information is described, for example, in Applicants' specification beginning at page 9, line 3 through page 10, line 8.

(c) analyzing said patent information to generate a category metric corresponding to user-prescribed categories.

In Applicants' specification, several different techniques are discussed concerning generating category metrics corresponding to user-prescribed categories. One technique uses eigenvector analysis to assign cluster category metrics that may be used to group patents that belong to a common category. See, for example, page 15, beginning at line 10. An alternate way to generate category metrics involves using patent classification information extracted from the patent database. This is discussed, for example, at page 10 and shown in Figure 3. Patent classification information is stored in the Category field of the Category List Table 68.

(d) associating said category metric with said patent information and storing said associated metric in a computer-readable dataset.

In the Applicants' specification at page 10, the Link Table 64 is described. This table defines an association between each patent and the patent class to which that patent is primarily assigned. The patent class information is also stored in table 66, which has a Category field that is linked to a Category List Table 68. In this way, the category metric information is associated with the patent information stored in the computer-readable dataset.

3. Method of automatically analyzing the text of multiple claims from plural patent documents using claim breadth metrics. (See, e.g., claim 11)

According to this aspect of the invention, the following two steps are performed:

(a) retrieving text of multiple claims from a computer-implemented data store, wherein the text of claims are from a plurality of patent documents.

In the Applicants' specification refer for example to Figure 3, which shows a relational database structure including the "All Patents Table" 60 into which the retrieved corpus of patent information is stored. Figure 3 also shows a "Claims" table 62 into which the Claim Text is stored. As illustrated, table 62 has a relationship to the All Patents Table 60. This relational database structure and its use in retrieving a corpus of patent information is described, for example, in Applicants' specification beginning at page 9, line 3 through page 10, line 8.

(b) automatically analyzing the text of the claims in order to generate claim breadth metrics for the claims, wherein a claim breadth metric that is associated with a claim is indicative of how broad the claim is, wherein the claim breadth metrics are used to analyze the multiple claims.

In Applicants' specification the automatic determination of claim breadth metrics is described, for example, beginning at page 11, line 9 (which refers to Figure 4) through page 13, line 7. As described, the text of the claims may be scanned to separate independent claims from dependent claims, and the independent claims are then analyzed by a word count algorithm capable of giving claim preamble a different weight than the claim body. Other linguistic analysis can also be performed.

Discussion of how the claim breadth metrics may be used to analyze the multiple claims appears, for example, at page 3, beginning at line 1.

4. Patent portfolio analysis method using trained eigenspace to analyze claim text. (See, e.g., claim 23)

According to this aspect of the invention, the following six steps are performed:

(a) retrieving patent information from a database, wherein the patent information is from a plurality of patent documents.

In the Applicants' specification refer for example to Figure 3, which shows a relational database structure including the "All Patents Table" 60 into which the retrieved corpus of patent information is stored. Figure 3 also shows a "Claims" table 62 into which the Claim Text is stored. As illustrated, table 62 has a relationship to the All Patents Table 60. This relational database structure and its use in retrieving a corpus of patent information is described, for example, in Applicants' specification beginning at page 9, line 3 through page 10, line 8.

(b) analyzing said patent information to generate category metrics.

In Applicants' specification, several different techniques are discussed concerning generating category metrics corresponding to user-prescribed categories. One technique uses eigenvector analysis to assign cluster category metrics that may be used to group patents that belong to a common category. See, for example, page 15, beginning at line 10. An alternate way to generate category metrics involves using patent classification information extracted from the patent database. This is discussed, for example, at page 10 and shown in

Figure 3. Patent classification information is stored in the Category field of the Category List Table 68.

(c) associating said category metrics with said patent documents and storing said associated metrics in a computer-readable dataset, wherein said patent information includes claim text information to be analyzed and wherein the analyzing step includes steps (d), (e) and (f) below.

In the Applicants' specification at page 10, the Link Table 64 is described. This table defines an association between each patent and the patent class to which that patent is primarily assigned. The patent class information is also stored in table 66, which has a Category field that is linked to a Category List Table 68. In this way, the category metric information is associated with the patent information stored in the computer-readable dataset.

(d) defining an eigenspace representing a training population of training claims each training claim having associated training text.

In Applicants' specification the definition of the eigenspace is described at page 15, and illustrated in Figure 6.

(e) representing at least a portion of said training claims in said eigenspace and associating a predefined category with each training claim the said eigenspace.

Beginning at page 17, line 20, Applicants' specification describes the training claims being represented in the eigenspace with an associated predefined category. See Figure 6 for an overview of the process.

(f) projecting the claim text information to be analyzed into said eigenspace and associating with said projected claim text the predefined category of the training claim to which it is closest within the eigenspace.

At page 17, line 25 and continuing through page 18 of Applicants' specification, the use of the eigenspace to analyze claim text information is described. See Figure 6 for an overview of the process.

5. Patent portfolio analysis apparatus where claim breadth metrics and category metrics are provided over an internet network.

According to this aspect of the invention, the portfolio analysis apparatus includes the following two modules:

(a) a claim breadth analysis module that automatically analyzes the text of claims in order to generate claim breadth metrics for the claims.

The Applicants' specification describes the claim breadth analysis module may be implemented as illustrated, for example in Figure 8 as the claim breadth analysis engine 152. The claim breadth analysis engine 152 is implemented within or called by the patent portfolio analysis engine 150.

(b) a cluster generator that analyzes patent information to generate category metrics for the patent documents.

In Applicant's specification, the cluster generator also forms part of, or is called by, the patent portfolio analysis engine 150 (Figure 8).

Both claim breadth metrics and category metrics are provided over an internet network for use in analyzing the patent documents. This is illustrated, for example, in Applicants' Figure 1.

6. Patent portfolio analysis method that automatically analyzes claim text of a plurality of claims to generate an individual claim breadth metric with each of the plurality of claims.

According to this aspect of the invention, the portfolio analysis method includes the following two steps:

(a) retrieving a corpus of patent information from a database, said patent information including the claim text of a plurality of claims.

In the Applicants' specification refer for example to Figure 3, which shows a relational database structure including the "All Patents Table" 60 into which the retrieved corpus of patent information is stored. Figure 3 also shows a "Claims" table 62 into which the Claim Text is stored. As illustrated, table 62 has a relationship to the All Patents Table 60. This relational database structure and its use in retrieving a corpus of patent information is described, for example, in Applicants' specification beginning at page 9, line 3 through page 10, line 8.

(b) automatically analyzing the claim text of said plurality of claims to generate and associate an individual claim breadth metric with each of said plurality of claims.

In Applicants' specification the automatic determination of claim breadth metrics is described, for example, beginning at page 11, line 9 (which refers to Figure 4) through page 13, line 7. As described, the text of the claims may be scanned to separate independent claims from dependent claims, and the independent claims are then analyzed by a word count algorithm capable of giving claim preamble a different weight than the claim body. Other linguistic analysis can also be performed.

Discussion of how the claim breadth metrics may be used to analyze the multiple claims appears, for example, at page 3, beginning at line 1.

Issues

1. Whether Applicants' claims 1- 7 have been improperly rejected over the Snyder reference (claims 1, 2 and 4-8 under 35 U.S.C. § 102(e) and claim 3 under 35 U.S.C. § 103):

(a) where the Applicants' claims recite automatic generation of a claim breadth metric not found in the Snyder reference (Snyder generates a similarity score between two patents that provides no indication of claim breadth) and

(b) where the Applicants' claims recite automatically generating claim breadth metrics for multiple claims from multiple patents not found in the Snyder reference (Snyder compares a single claim from one patent with a single claim from another patent.)

2. Whether Applicants' claims 8-10 have been improperly rejected over the Snyder reference (claims 8 and 10 under 35 U.S.C. § 102(e) and claim 9 under 35 U.S.C. § 103 in combination with Rivette):

(a) where the Applicants' claims recite analyzing said patent information to generate a category metric corresponding to user-prescribed categories not found in Snyder.

3. Whether Applicants' claims 11-22 have been improperly rejected over the Snyder reference (claims 11, 12, 14-16, and 18-22 under 35 U.S.C. § 102(e) and claims 13, and 17 under 35 U.S.C. § 103 in combination with Rivette):

(a) where the Applicants' claims recite automatically analyzing the text of the claims in order to generate claim breadth metrics (Snyder generates a similarity score between two patents that provides no indication of claim breadth).

4. Whether Applicants' claims 23-24 have been improperly rejected over the Snyder reference (claim 23 under 35 U.S.C. § 102(e) and claim 24 under 35 U.S.C. § 103 in combination with Rivette):

(a) where the Applicants' claims recite defining an eigenspace representing a training population of training claims—not found in Snyder or Rivette;

(b) where the Applicants' claims recite representing at least a portion of said training claims in said eigenspace and associating a predefined category with each training claim in said eigenspace—not found in Snyder or Rivette; and

(c) where the Applicants' claims recite projecting the claim text information to be analyzed into said eigenspace and associating with said projected claim text the predefined category of the training claim to which it is closest within the eigenspace—not found in Snyder or Rivette.

5. Whether Applicants' claim 31 has been improperly rejected over the Snyder reference:

(a) where the Applicants' claim recites a claim breadth analysis module that automatically analyzes the text of claims in order to generate claim breadth metrics for the claims—not found in Snyder (Snyder generates a similarity score between two patents that provides no indication of claim breadth); and

(b) where the Applicants' claim recites a cluster generator that analyzes patent information to generate category metrics for the patent documents—not found in Snyder.

6. Whether Applicants' claim 32 has been improperly rejected over the Snyder reference:

(a) where Applicants' claim recites the step of automatically analyzing the claim text of said plurality of claims to generate and associate an individual claim breadth metric with each of said plurality of claims and where the Snyder reference does not automatically generate a claim breadth metric for even a single claim, let alone one for each of a plurality of claims.

Grouping of Claims

In this Appeal Brief, Applicants have grouped the claims into six sets in order to better organize the arguments:

Set 1 – Representative claim 1 (the dependent claims of this parent belong to this group);

Set 2 – Representative claim 8 (the dependent claims of this parent belong to this group);

Set 3 – Representative claim 11 (the dependent claims of this parent belong to this group);

Set 4 – Representative claim 23 (the dependent claims of this parent belong to this group);

Set 5 – Representative claim 31

Set 6 – Representative claim 32.

Applicants submit that the above sets each represent patentably distinct inventions. However, recognizing the Board's need for judicial economy, Applicants submit that the claims on appeal may be grouped into three groups as follows for purposes of the 37 C.F.R. 1.192(c)(7) "Grouping of Claims" requirement:

Group I – Claims containing recitation of claim breadth metric
Claims in this group include independent claims 1, 31, 32

Group II –Claims containing recitation of category metric
Claims in this group include independent claims 8, 11, 31

Group III – Claims containing recitation of eigenspace
Claims in this group include independent claim 23

As illustrated by the underlined subject matter above, it is quite apparent that these three groups reflect substantively quite distinct concepts, and more than mere wording differences among claims. the claim breadth metric and category metric may be generated independently of one another. The use of an eigenspace to effect claim clustering represents a different concept still.

For these reasons, the Applicants' respectfully submit that the above three Groupings are proper and will facilitate economical adjudication of the issues presented in this Appeal.

Argument

Claim 1 is directed to automatically generating claim breadth metrics for multiple claims from multiple patents. Automatic generation is useful, for example, when dealing with hundreds or thousands of patents, such as when examining companies' large patent portfolios. The generated claim breadth metric provides an indication of how broad or narrow a claim is. The claim breadth metric is very different that what the primary reference cited against us (i.e., USPN 6,038,561 known as the "Snyder" reference) discloses. The Snyder reference compares two patents together to see if they are similar. For example, the Snyder summary describes at column 4, lines 53-62: "Thus, a kind of 'cross-comparison' matching is used, wherein the combined scores for (1) patent A, claim X dependent and independent part(s) vs. patent B, claim Y, independent part and (2) patent A, claim X dependent and independent part(s) vs. patent B, claim Y, dependent and independent part(s) generate an **aggregate matching (or similarity) score** for patent A, claim X vs. patent B, claim Y." (note: emphasis added). The similarity score for comparing two patents is found in other locations of the Snyder reference, such as at column 17, lines 66-67: "...where a score indicates the **relative similarity** between two claims." (note: emphasis added).

The claim breadth metrics of applicants' invention are significantly different than the Snyder reference's similarity score. For example, because applicants'

claim breadth metrics are automatically generated, a user can see what claims of theirs are narrow and thus may be ripe for discontinuing the payment of maintenance fees. A user can also see what claims of theirs are broad and thus more likely to be asserted against competitors. A portfolio's average claim breadth metric may also be calculated based upon the claim breadth metrics, and may be of interest to a user in evaluating the overall breadth and quality of claims that the user's company is receiving (see Figure 29 of the patent application). Knowing the similarity scores as disclosed in the Snyder reference would not allow a user to accomplish the aforementioned examples. For this and other reasons, the Snyder reference does not read upon nor render obvious claim 1 or any of the other claims which recite claim breadth metrics.

Along similar lines, claim 11 recites that the text of multiple claims is retrieved and automatically analyzed. It is submitted that claim 11 also fully distinguishes over the references of record.

Claim 8 is also allowable over the Snyder reference. Claim 8 is directed to mapping patents or their parts to categories that are not derived by a computer system, but rather come from a user (such as a client or an attorney). In this way, the user-prescribed categories are familiar to the audience that will be reviewing the results of the analysis. Contrary to this approach, the Snyder reference does not disclose user-prescribed categories. For example, *assuming arguendo* that categories are shown in Figure 9C of the Snyder reference, such categories are derived by the computer system and not by the user. In the Snyder reference, the user may not understand what the categories mean as the

user had not prescribed them. For this and other reasons, claim 8 is allowable over the cited reference.

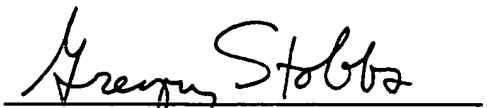
With regard to claim 23, that claim was amended to include the recitations of cancelled claim 25. The references cited by the Examiner do not teach or suggest use of an eigenspace according to Applicants' invention. In the Applicants' invention, a population of training claims are used to define an eigenspace having a predefined category associated with each training claim. This eigenspace is then used by projecting claim text information to be analyzed (such as a new claim from a different patent or application) into the eigenspace. In this way the new claim can be associated with a category corresponding to the category to which it is closest within the eigenspace. The references of record do nothing like this.

In view of the amendment to claim 23, by inclusion of the language from claim 25, it is respectfully submitted that claim 23 is fully allowable over the references.

Conclusion

In view of the foregoing, it is respectfully submitted that all claims are allowable over the references of record. Reversal of the Examiner's ruling and allowance of this application is therefore courteously solicited

Respectfully submitted,



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Appendix

1. (previously presented) A computer-implemented patent portfolio analysis method comprising:

retrieving a corpus of patent information from a database, said patent information including multiple claims from a plurality of patent documents;

automatically determining claim breadth metrics for the multiple claims;

associating a claim breadth metric with a claim and storing said associated claim breadth metric in a computer-readable dataset,

wherein a claim breadth metric which is associated with a claim is indicative of how broad the claim is.

2. (original) The method of claim 1 wherein said step of analyzing the claim text includes counting the number of words in said claim text and generating a claim breadth metric therefrom.

3. (original) The method of claim 1 wherein said step of analyzing the claim text includes identifying within said claim text a preamble portion and a body portion, counting the number of words in said preamble and body portions and applying separate weights to said counts to generate said claim breadth metric.

4. (original) The method of claim 1 wherein said step of analyzing the claim text includes parsing said text to identify parts of speech, using said

identified parts of speech to identify clauses within said claim, comparing said clauses with the text of other claims in said corpus to generate scores indicative of which clauses within said claim text have a lower probability of being found in other claims within said corpus.

5. (original) The method of claim 1 further comprising displaying said patent information in a sorted order based on said claim breadth metric.

6. (original) The method of claim 1 wherein said step of analyzing the claim text includes linguistically processing said text to identify at least one clause within said claim text that has a lower probability than other of said clauses within said claim text of being found in other claims within said corpus.

7. (original) The method of claim 6 further comprising displaying said claim text such that said one clause is visually presented differently than the other of said clauses.

8. (previously presented) A computer-implemented patent portfolio analysis method comprising:

providing user-prescribed categories which were specified by a user;

retrieving a corpus of patent information from a database, wherein the patent information is information from multiple patent documents;

analyzing said patent information to generate a category metric corresponding to user-prescribed categories; and

associating said category metric with said patent information and storing said associated metric in a computer-readable dataset.

9. (original) The method of claim 8 wherein said patent information includes patent classification information and wherein said analyzing step is performed by defining a plurality of categories and mapping classification information onto said categories.

10. (original) The method of claim 8 wherein said patent information includes claim text information to be analyzed and wherein said analyzing step includes:

defining an eigenspace representing a training population of training claims each training claim having associated training text;

representing at least a portion of said training claims in said eigenspace and associating a predefined category with each training claim in said eigenspace; and

projecting the claim text information to be analyzed into said eigenspace and associating with said projected claim text the predefined category of the training claim to which it is closest within the eigenspace.

11. (previously presented) A computer-implemented patent portfolio analysis method comprising:

retrieving text of multiple claims from a computer-implemented data store, wherein the text of claims are from a plurality of patent documents;

automatically analyzing the text of the claims in order to generate claim breadth metrics for the claims, wherein a claim breadth metric that is associated with a claim is indicative of how broad the claim is [claim breadth of a claim],

wherein the claim breadth metrics are used to analyze the multiple claims.

12. (previously presented) The method of claim 11 wherein said step of analyzing the claims' text includes counting the number of words in each of the claims and generating a numeric claim breadth metric for each claim therefrom.

13. (previously presented) The method of claim 11 wherein said step of analyzing the claims' text includes identifying within a claim's text a preamble portion and a body portion, counting the number of words in said preamble and body portions and applying separate weights to said counts to generate said claim breadth metric for a claim.

14. (previously presented) The method of claim 11 wherein said step of analyzing the claims' text includes parsing said text to identify parts of speech, using said identified parts of speech to identify clauses within a claim, comparing said clauses with the text of other claims to generate scores indicative of which

clauses within said claim text have a lower probability of being found in other claims within said patent documents.

15. (previously presented) The method of claim 11 further comprising displaying said patent documents in a sorted order based on said claim breadth metrics.

16. (previously presented) The method of claim 11 wherein the sorted patent documents are used in a patent infringement study.

17. (previously presented) The method of claim 11 wherein the sorted patent documents are used to determine patent documents whose maintenance fees are not to be paid.

18. (previously presented) The method of claim 11 wherein said step of analyzing the claims' text includes linguistically processing said text to identify at least one clause within said claim text that has a lower probability than other of said clauses within said claim text of being found in other claims within said patent documents.

19. (previously presented) The method of claim 18 further comprising displaying said claims' text such that said one clause is visually presented differently than the other of said clauses.

20. (previously presented) The method of claim 11 further comprising:

generating descriptive statistics based upon the generated claim breadth metrics, wherein the generated descriptive statistics are indicative of quality of claims analyzed.

21. (previously presented) The method of 20 wherein generated descriptive statistics are generated for groupings of claims.

22. (previously presented) The method of claim 21 wherein the claim groupings are formed based upon patent ownership, wherein the generated descriptive statistics are statistics selected from the group consisting of average, average of the averages, standard deviation, maximum, minimum, and combinations thereof.

23. (previously presented) A computer-implemented patent portfolio analysis method comprising:

retrieving patent information from a database, wherein the patent information is from a plurality of patent documents;

analyzing said patent information to generate category metrics; and

associating said category metrics with said patent documents and storing said associated metrics in a computer-readable dataset.

wherein said patent information includes claim text information to be analyzed and wherein said analyzing step includes:

defining an eigenspace representing a training population of training claims each training claim having associated training text;

representing at least a portion of said training claims in said eigenspace and associating a predefined category with each training claim in said eigenspace; and

projecting the claim text information to be analyzed into said eigenspace and associating with said projected claim text the predefined category of the training claim to which it is closest within the eigenspace.

24. (previously presented) The method of claim 23 wherein said patent information includes patent classification information and wherein said analyzing step is performed by defining a plurality of categories and mapping classification information onto said categories.

25. (cancelled).

26. (previously presented) The method of claim 23 wherein said patent information includes using both patent classification information and linguistic analysis results to determine said category metrics to be associated with the patent documents.

27. (previously presented) The method of claim 26 wherein the category metrics are indicative of technical areas of the patent documents.

28. (previously presented) The method of claim 23 further comprising:

retrieving text of claims from the database, wherein the text of claims are from the plurality of patent documents;

analyzing the text of the claims in order to generate claim breadth metrics for the claims, wherein a claim breadth metric is indicative of claim breadth of a claim,

wherein the claim breadth metrics are used to analyze the claims.

29. (previously presented) The method of claim 23 wherein values of the category metrics are predetermined.

30. (previously presented) The method of claim 23 wherein values of the category metrics are dynamically determined.

31. (previously presented) A computer-implemented patent portfolio analysis apparatus comprising:

a database of patent documents containing text of claims;

a claim breadth analysis module that automatically analyzes the text of the claims in order to generate claim breadth metrics for the claims, wherein a claim breadth metric is indicative of claim breadth of a claim, wherein the claim breadth

metrics are provided over an internet network for use in analyzing scope of the claims;

a cluster generator that analyzes patent information to generate category metrics for the patent documents, wherein clusters of patent documents are determined based upon the generated category metrics, wherein the clusters of patent documents are provided over an internet network for use in analyzing the patent documents.

32. (previously presented) A computer-implemented patent portfolio analysis method comprising:

retrieving a corpus of patent information from a database, said patent information including the claim text of a plurality of claims;

automatically analyzing the claim text of said plurality of claims to generate and associate an individual claim breadth metric with each of said plurality of claims.